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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 MALYNA TIEV and JAMES NORRIS,

9 Plaintiffs,

10 v.

11 THE STANDARD FIRE INSURANCE
COMPANY,

12 Defendant.

CASE NO. 2:23-cv-950

ORDER CONTINUING TRIAL DATE
AND RELATED DEADLINES

13
14 This matter comes before the Court on the parties' stipulated motion to
15 extend the trial date and related deadlines. Dkt. No. 18. The parties assert good
16 cause exists to continue the trial date because they were unable to schedule an
17 Independent Medical Examination (IME) of Plaintiff Malyna Tiev, as she was out of
18 the country until January 1, 2024. *Id.* at 2. The parties have now scheduled Tiev's
19 IME for February 2, 2024. Dkt. No. 19 at 1. This delay also precluded the parties
20 from completing their expert reports, rebuttal expert reports, and expert
21 depositions. Dkt. No. 18 at 2. This is the parties' first request to continue the trial
22 date. *See* Dkt.
23

Under Fed. R. Civ. P. 16(b)(4), a scheduling order “may be modified only for good cause and with the judge’s consent.” Good cause exists if the pretrial schedule “cannot reasonably be met despite the diligence of the party seeking the extension.” Fed. R. Civ. P. 16(b) advisory committee’s note to 1983 amendment. In light of the delayed IME and the fact that this is the parties’ first request to continue, the Court finds good cause to modify the case schedule and GRANTS *nunc pro tunc* the parties’ stipulated motion to extend the trial and related dates as set forth below:

| EVENT | DATE |
|--|---|
| JURY TRIAL begins | October 21, 2024 |
| Length of trial | 5 days |
| Disclosure of expert testimony under Fed. R. Civ. P. 26(a)(2) | March 25, 2024 |
| Disclosure of rebuttal expert testimony under Fed. R. Civ. P. 26(a)(2) | within 30 days after the other party’s expert disclosure |
| All motions related to discovery must be filed by (see LCR 7(d)) | April 24, 2024 |
| Discovery completed by | May 24, 2024 |
| All dispositive motions and motions challenging expert witness testimony must be filed by (see LCR 7(d)) | June 24, 2024 |
| Settlement conference under LCR 39.1, if requested by the parties, held no later than | August 22, 2024 |
| All motions in limine must be filed by (see LCR 7(d)) | September 11, 2024 |
| Deposition Designations must be submitted to the Court by (see LCR 32(e)) | September 30, 2024 |

| EVENT | DATE |
|--|--------------------|
| Agreed pretrial order due | September 30, 2024 |
| Trial briefs, proposed voir dire questions, and proposed jury instructions must be filed by | October 7, 2024 |
| Pretrial conference | October 14, 2024 |

Dated this 10th day of January, 2024.



Jamal N. Whitehead
United States District Judge